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The situation in the Middle East

Measures to eliminate international terrorism

Letter dated 14 June 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I am writing to draw your attention to the latest incidents in the continuing campaign of Palestinian terrorism directed against the citizens of Israel.

At approximately 7.40 p.m. (local time) on 11 June, a Palestinian suicide bomber entered a popular restaurant in the coastal Israeli city of Herzliya, asked the proprietor for a bottle of water, and then blew himself up. The explosives had been packed with nails and ball bearings to maximize the pain and suffering of the victims. A 15-year-old girl, Hadar Hershkowitz, was killed in the blast, and 11 others were wounded, one of them critically.

The Herzliya bombing capped a long day of Palestinian violence deliberately directed against Israeli civilians. That afternoon, three Israeli high school students were injured when Palestinian terrorists attacked their school bus. The explosion occurred as the students prepared to board the bus after a day spent at a cherry orchard. One student was seriously injured and evacuated to a Jerusalem hospital. That same day, in Jerusalem, a Palestinian man stabbed an Israeli policeman in the back with a knife. The officer was evacuated to a nearby hospital, where his condition was stabilized.

This past Saturday, 8 June, three Israelis were murdered when Palestinian terrorists infiltrated the community of Karmei Tzur before dawn. The terrorists dispersed through the community, firing indiscriminately at any human target they encountered. The terrorist organization Hamas claimed responsibility for the attack.

Meanwhile, Israeli forces have discovered an explosives laboratory in a Ramallah building belonging to Force 17, Chairman Arafat's personal security force. More than 10 powerful explosive charges in various stages of production, along with bags of TATP explosives, documents and Israeli Army uniforms were discovered in the building. In this connection, I should like to refer to the recent letter dated 10 June 2002 (A/ES-10/178-S/2002/650) from the Permanent Observer of Palestine, in which he condemns the very operation that discovered these

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explosives and consequently prevented several potential terrorist attacks. Despite the protestations of the Permanent Observer of Palestine, the discovery of the explosives confirms the necessity of the operation to protect Israeli citizens from the threat of terrorist attack.

This discovery, together with Chairman Arafat's recent request for the terrorist organizations Hamas and Islamic Jihad to join his Cabinet, further underscores the fact that the Palestinian leadership, while purporting to condemn terrorism for the benefit of Western audiences, is continuing to encourage attacks against Israelis. Were the Palestinians abiding by their signed commitments and the will of the international community and using their security forces to prevent, rather than perpetrate, acts of terrorism, Israeli military operations would be entirely unnecessary. Israel therefore holds the Palestinian leadership responsible for these acts of terror and stresses the urgent necessity for it to act immediately to bring these acts of terrorism to an immediate end.

In his above-mentioned letter, the Permanent Observer of Palestine has also accused Israel of "distorting" the meaning of Security Council resolution 242 (1967), citing as proof a recent article by Prime Minister Ariel Sharon that asserted that Israel could not withdraw to "vulnerable" borders or concede its right to live within secure and recognized boundaries. Israel remains committed to the achievement of genuine peace based on resolutions 242 (1967) and 338 (1973), as agreed between the parties. But the parties involved must be accurate in their presentation of those resolutions and the context in which they were adopted.

The principles for peacemaking laid out in resolution 242 (1967) were adopted in the aftermath of the 1967 Six Day War, in which Israel's very existence was threatened by a coalition of hostile Arab armies that had amassed troops along the fragile 1949 armistice lines with the declared intention of Israel's destruction. Far from an act of distortion, the statement of Prime Minister Sharon is in full accordance with the spirit and letter of resolution 242 (1967), which called, inter alia, for the right of States in the area "to live in peace within secure and recognized boundaries" and the "termination of all claims or states of belligerency".

The true distortion is the oft-repeated claim that resolution 242 (1967) calls for full and complete withdrawal from the territories that came under Israeli control in 1967. In reality, the drafters of the resolution intentionally did not issue such a call. Proposals put forward to indicate a requirement for full withdrawal, such as the inclusion of the article "the" when describing the territories from which Israel should withdraw in a peace settlement, were deliberately rejected. This was in recognition of the fact that the establishment of secure and recognized boundaries should be based on negotiations between the parties rather than temporary and demonstrably vulnerable armistice lines.

It should also be noted that resolution 242 (1967) was drafted in relation to the "States in the area"; it did not directly refer to the Israeli-Palestinian conflict. The application of the principles of resolutions 242 (1967) and 338 (1973) to Israeli-Palestinian negotiations is a result of subsequent agreements between the parties. Indeed, no internationally recognized, secure border has ever existed in West Bank and Gaza Strip territory. The Palestinian agreement to conduct negotiations on the issue of borders in permanent status talks indicates that the Palestinians themselves have accepted the principle of territorial compromise in relation to the West Bank and Gaza Strip in accordance with resolution 242 (1967). In the words of Lord

Caradon, the chief architect of the resolution, in an interview with the *Beirut Daily Star* from 12 June 1974: "It would have been wrong to demand that Israel return to its positions of June 4,1967, because those positions were undesirable and artificial. After all, they were just the places where the soldiers of each side happened to be on the day the fighting stopped in 1948. They were just armistice lines. That's why we didn't demand that the Israelis return to them."

There is no alternative to the Palestinian leadership abiding by its signed commitments, the provisions of international law and the resolutions of the Security Council — all of which obligate the Palestinians to abandon the use of terror. Until such time as the Palestinian leadership takes steps to turn its condemnation of terrorism into action, Israel will be obliged, like any State, to protect its civilians from the unrelenting threat of Palestinian terror, and the path to reconciliation will be blocked.

I submit the present letter in follow-up to my numerous letters detailing the campaign of Palestinian terrorism that began in September 2000.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda items 42 and 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative